

TOWN OF LOOMIS
PLANNING COMMISSION MINUTES
LOOMIS TOWN HALL
6140 HORSESHOE BAR ROAD, SUITE K
LOOMIS, CALIFORNIA

TUESDAY

JUNE 21, 2005

7:30 P.M.

CALL TO ORDER Chairman Obranovich called the meeting to order at 7:30 P. M.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

☐ Chairman Obranovich
☐ Commissioner Banyas
☐ Commissioner Wilson
☐ Commissioner Thew
☐ Commissioner Hogan

ABSENT

NONE

COMMISSION AND STAFF COMMENTS NONE

PUBLIC COMMENT

Walt Scherer stated the following

- roll and the rights of the commissioners and Council members
- relationship of the council to the commissioners
- not to feel pressured when a Councilmember addresses the commissioners

ADOPTION OF AGENDA

Motion was made to adopt the Agenda and move item #4 to the top of the agenda. Agenda adopted on motion by Commissioner Thew, seconded by Commissioner Wilson and passed by the following roll call vote:

Ayes: Obranovich, Banyas, Wilson, Hogan, Thew
Noes: None

CONSENT AGENDA

Motion was made to adopt the Consent Agenda. Agenda adopted on motion by Commissioner Hogan, seconded by Commissioner Banyas and passed by the following roll call vote:

Ayes: Obranovich, Banyas, Wilson, Hogan Thew
Noes: None

RECOMMENDATION

1. PLANNING STATUS REPORT

RECEIVE & FILE

2. MINUTES OF MAY 17, 2005

APPROVE

PUBLIC HEARING

3. #05-16 – LARRY HALVERSON MINOR USE PERMIT, 3673 FROST LANE, APN: 044-080-046

Larry Halverson requests approval of a Minor Use Permit (MUP) to construct a 25'4" tall garage/shop with dormer windows on the second story on an existing 11,234 square foot lot with an approximately 1,350 square foot single-story residence at 3673 Frost Lane, APN: 044-08-046. The property is zoned Rural Residential (RR) and designated "Rural Residential- 1 acre/dwelling unit" in the General Plan. The proposed project can be found to be consistent with the General Plan and the Zoning Ordinance. The project is Categorical Exempt under CEQA Section 15303.

Recommended action: That the Planning Commission approve Resolution #05-14 for a Minor Conditional Use Permit to construct a 25'4" tall garage/shop without the dormers at 3673 Frost, APN: 044-08-046, with the findings in Exhibit A and the recommended conditions in Exhibit B.

Public comment:

Mark Campbell (Applicant's Counsel), stated the following:

- asked that the item be continued to the July 19th Planning Commission meeting.

A motion was made to continue the item to the July 19th Planning Commission meeting. On motion by Commissioner Wilson, seconded by Commissioner Hogan and passed by the following roll call vote:

Ayes: Obranovich, Banyas, Wilson, Hogan, Thew
Noes: None

4. 05-03 - LOOMIS CHAMBER OF COMMERCE CONDITIONAL USE PERMIT, DESIGN REVIEW & VARIANCE, DOC BARNES ROAD AND HORSESHOE BAR ROAD, APN: 043-010-016

The Loomis Basin Chamber of Commerce, the applicant, requests a Conditional Use Permit (CUP), Design Review (DR) and Variance (VAR) approval on a 0.14-acre parcel located at the northwest corner of Doc Barnes and Horseshoe Bar Road intersection, APN: 043-010-016. The request is to construct a 1,056 square foot modular building and parking lot for the office of the Loomis Basin Chamber of Commerce. A Variance (VAR) is requested to allow the building to be constructed within the side corner setback area. The property is zoned Central Commercial (CC) and designated "Central Commercial" in the General Plan. Staff has determined that the proposed project is consistent with the General Plan and the Zoning Ordinance. The project is Categorically Exempt under CEQA Sections 15303.

Recommended action: If the Commission is able to make the findings required for a variance and Design Review the Planning Commission may approve Resolution #05-08 a Conditional Use Permit (CUP), Design Review (DR) and Variance (VAR) on a 0.14-acre parcel located at the northwest corner of Doc Barnes and Horseshoe Bar Road intersection, APN: 043-010-016, with the findings in Exhibit A and the recommended conditions in Exhibit B.

Public comment:

Lisa Gerhard (Arborist contracted with the Town), 145 Duncan Hill Road, Auburn, stated the following:

- survey the trees on the site
- air spaded under the Large Oak Tree one inch at a time checking the root system
- building on this side would not be detrimental to tree if foundation is done as Abacus recommended
- recommends deep watering to help minimize the stress to the tree
- purposed building type and foot traffic at the front of bldg would minimize the stress to the tree
- arborist should be used at the time piers are set for the purposed building
- asphalt on the Fox Building side continues to compacts the soil over the roots of the tree and could cause the trees demise
- recommends moving the sprinkler head away from tree on Fox Bldg side
- Remove dirt from root ball
- Remove the mistletoe from tree

Vicky Morris (Applicant), 4390 Gold Trail Way, applicant, stated the following:

- gave a handout with a list of seven changes made to plans
- feels the modified plans will fit with the surrounding area design
- adjusted the parking and landscaped parking lot on the west side
- peaked the buildings roof
- will provide a park bench and tree for shade
- added more landscape in front of building

Miguel Ucovich, 5911 Craig Street, resident, stated the following:

- liked the arborist
- feels oak trees will survive in difficult surroundings
- feels the picture of the purposed building looks like a home
- good location for the Chamber of Commerce building
- likes the building
- the location of the Chamber building will save the community money

Shelly Ferguson, 3699 Frost Lane, resident, stated the following:

- the Fox Building is a beautiful old building
- the proposed chamber building will detract from the Fox building
- the center of town would be more appropriate for the chamber building bring people into the town
- Town should put money into the train depot and have chamber in that location

Ariel Olen, 1213 Caribou Place, Davis, stated the following:

- called the chamber questioning the number of visits per day
- questionings the number of visit
- questions the type of foundation
- questions the terms modular, prefab, manufactured

Brenda Newsom (Chamber Member), 2681 Newcastle Road, Newcastle, stated the following:

- feels Ariel misrepresented her self
- the twelve Chamber Board of Directors meets once a month
- feels the parking lot will be adequate for the number of visitors
- notes the average visit last 15 minutes
- most business is done via the phone and internet

Theodore S. Goodwin (Council for the Fox Group), 1050 Fulton Avenue, STE 125, Sacramento, stated the following:

- has sent a letter
- concerned with the lot size of 1400 sq ft and the building size of 1000 sq ft
- buffer zone and building setback is inadequate
- building design does not meet the requirements of the Town's Master Plan
- parking is inadequate for the use
- landscaping is inadequate
- the building will not meet the needs of the Chamber
- the tree on the Fox property is almost 100 years old
- there are three legal findings that are needed to approve a variance
- look at the needs of the Town and not just this applicant
- no architect has looked at the revised plans
- landscaping adjacent to the building is in adequate

John Newsom (Chamber Member), 2681 Newcastle Road, Newcastle, stated the following:

- the Chamber has 10-15 visitors per day
- 75% of the Chambers work is done on the phone
- the Chamber supports the Town, schools and businesses
- new design includes a pitched roof
- the pre-manufactured building will fit in with the character of the Town
- additional landscaping will be provided

David Rosenaur, 3645 Taylor Road, stated the following:

- has been turned down on everything in this Town
- Karen Fox was told that she had purchased the property
- the lot is not adequate to build anything on
- entrance to the Town
- lot is too small for the project
- downtown is a better location
- could be 20 visitors
- J-walking on Horseshoe Bar Road is not safe

Karen Fox, 2645 Obelisco Place, Carlsbad, stated the following:

- discourages approval
- more people visit the Chamber than the applicant states
- meetings have 10 people
- no parking is allowed on S. Walnut, Doc Barnes and Horseshoe Bar Road
- the project does not conform to the General Plan
- a better design is needed
- Williams + Paddon find the design to be inappropriate and inconsistent with the General Plan
- with the building only 2 feet back from the pavement not enough landscaping is provided
- what will the Town do when there are complaints about the parking?

Walt Scherer 3683 Frost Lane, stated the following:

- does not like others to speak about people
- does not like intimidation
- half the root are paved over and do need to be liberated
- opponents of the project bring up some good points

Perry Beck (Town Manager), stated the following:

- a contract will be worked out so that the Town will either get the building or it will be removed as determined by the Town

Commissioner Wilson & Thew, stated the following reasons for voting against the project:

- the modular building does not meet aesthetic standards
- inadequate shade in the parking lot

- building is to large for the lot
- building is to close to the sidewalk
- a smaller building could fit the site for another owner
- the requirements for a variance are not met

Following further discussion on the matter, a motion was made to conceptually approve resolution #05-08 for a Conditional Use Permit (CUP), Design Review (DR) and Variance (VAR) on a 0.14-acre parcel located at the northwest corner of Doc Barnes and Horseshoe Bar Road intersection, APN: 043-010-016, with instruction to the Town Attorney to draft variances findings based on the irregular dimensions of the property. On motion by Commissioner Hogan, seconded by Commissioner Banyas and passed by the following roll call vote:

Ayes:	Hogan, Obranovich, Banyas
Abstain:	None
Noes:	Thew, Wilson
Absent:	None

5. 05-10 NOR-CAL BEVERAGES CO., INC PARKING LOT CUP & LLA, 3170 ANGELO COURT & 3171 SWETZER ROAD, APN: 043-015-029 & 028

Recommended action: That the Planning Commission approve Resolution #05-15 for a Minor Conditional Use Permit and Lot Line Adjustment with the findings in Exhibit A and the recommended conditions in Exhibit B.

Public comment:

Jack Remington (Applicant), 275 Nevada Street, Auburn, stated the following:

- needs connecting ramp
- needs as much parking as they can get
- the smaller truck spaces can be moved around
- would like to work with the Town to solve problems

Following further discussion on the matter, a motion was made to approve #05-15 for a Conditional Use Permit at 3171 Swetzer Road, APN: 043-015-029 & -028. On motion by Commissioner Thew, seconded by Commissioner Wilson and passed by the following roll call vote:

Ayes:	Hogan, Obranovich, Thew, Wilson, and Banyas
Abstain:	None
Noes:	None
Absent:	None

6. 99-05 – SEA OTTER SWIM LESSON, 6151 BRACE ROAD, APN: 043-130-026

In 1999 the applicant received a conditional use permit to operate the Sea Otter Swim Lesson facility. The project was approved and allowed for a 16 space graveled parking lot and/or parking on the adjacent Church's parking lot. The Church's parking lot has been serving the needs of the facility for the past years and no parking lot was ever constructed on-site. As of June 2005 the use of the Church's lot has been rescinded and currently clients of the facility are parking on the lawn. The facility now requests permits to construct a parking lot on-site. Along with the construction of the parking lot the facility is also planning to relocate the restroom facilities, construct a new redwood fence and install new parking lot lighting. Staff requests that the Planning Commission review the proposed construction activity for consistency with the approved CUP.

Recommended action: That the Planning Commission approve resolution #05-16 finding the proposed on-site parking lot, restroom, fencing and 7:30 AM to 8:30 PM parking lot lighting facility improvements consistent with the approved #99-05 Sea Otter Swim Lessons CUP.

Public comment:

Rebecca Sassenrath (Applicant). 6145 Brace Road, stated the following:

- in 1999 the school was constructed
- parking was approved with some parking to be provided on the Churches site
- no change in the use is being proposed
- a civil engineer has drawn the proposed parking plans so that they meet the use permit and Town Ordinances
- the area will not be paved because of drainage
- staff will park at the residence
- restrooms will be placed next to the office
- restrooms will be handicap accessible

- architecture will match surrounding building
- Sea Otter client's contribute minimally to the traffic on Brace
- ingress/egress and visibility will be improved as a result of driveway widening
- the proposed project is consistent with the use permit
- extra landscaping will buffer the site
- has met with neighbors and is aware of their concerns
- will enforce a one car per family limitation
- leach lines are not in the parking area
- can not attach the restroom to another structure
- only the roof line will be visible to the neighbors
- no landscaping will be under the oak tree
- needs to move forward with this project
- needs parking as the business has committed to a summer schedule

Harold Fisher, 6125 Brace Road, stated the following:

- has lived at his home for 40 years
- has lived in Loomis for 50 years
- does not want to shut the school down
- supported the neighbor in 1999
- the business has flourished
- 30 to 40 cars have been parked in the Church's lot
- 25 cars are coming while 25 cars are leaving
- concerned with the aesthetic of the neighborhood
- concerned with traffic and parking
- a 16 car limit should be imposed
- classes should be staggered and 25 people should not be allowed to stand around the pool
- don't make a decision until you visit the site

Jason Tiffany, 2025 Hillsdale Road, Meadow Vista, stated the following:

- the facility is very clean
- last week four people drowned in our area
- the facility is family oriented
- line of site for ingress/egress is not a problem
- has a child who has been a client of the facility for 6 months
- the number of cars has been significantly reduced
- this is not a change in the use permit

Jeff Parks, 5770 Acadia Avenue, stated the following:

- there is a lot of traffic
- many commercial business already exist in the vicinity
- Town needs more traffic controls

Dennis Bailell, 3958 Betty Lane, stated the following:

- set limit at 16 cars
- no parking on either side of Brace Road should be allowed with possible tow away zone
- the use might not be adding additional traffic

Dorothy Fisher, 6125 Brace Road, stated the following:

- in 1999 they agreed to 6 to 8 children
- how in the world did this happen
- likes the Sassenraths
- the business has lowered property value
- visually the use is ugly and looks like a circus
- aesthetics are needed
- landscaping will not cover the tents

Paul Sassenrath (Applicant). 6145 Brace Road, stated the following:

- has always abided by the conditions of the use permit
- has never heard the neighbors complain about the aesthetics
- the business has regular hours and traffic
- the business is only visible from the back of the Fisher's property
- other than a few day during a poorly planned enrolment secession client have not park on Brace Road

Following further discussion on the matter, a motion was made to approve resolution #05-16 finding the proposed on-site parking lot, restroom, fencing and 7:30 AM to 8:30 PM parking lot lighting facility improvements consistent with the approved #99-05 Sea Otter Swim Lessons CUP. On motion by Commissioner Wilson, seconded by Commissioner Obranovich and passed by the following roll call vote:

Ayes:	Hogan, Obranovich, Wilson, and Banyas
Abstain:	None
Noes:	Thew
Absent:	None

Direction was given to Staff to look into implementing no parking on Brace Road.

NEW BUSINESS

7. **LOOMIS HILLS /SIERRA DE MONTSERAT, Barton, Wells and Laird Roads, APNs 45-170-03, 04, 07, 08 and 45-180-18 and 19, Approval of TREE MITIGATION PLAN**

Loomis Hills subdivision was approved for 64 lots with numerous conditions relating to protection of the trees and tree removal which were to be incorporated in a tree protection plan. In March 2000, the Planning Commission gave direction to the applicant for Loomis Hills regarding a proposed tree protection plan. The current developer of the property, Curt Westwood, Westwood Homes, requests final approval of the tree protection plan.

Recommended action: That the Planning Commission review the proposed Plan as recommended by the Town's consulting arborist, and approve, by Resolution 05-17, the final Tree Protection/Mitigation Plan and \$60,000 as the amount for bond for tree protection in accordance with conditions of approval of the Loomis Hills tentative subdivision approval.

Public comment: None

Lisa Gerhard (Arborist contracted with the Town), 145 Duncan Hill Road, Auburn, stated the following:

- provides suggestions and regulations for tree mitigation, protection and preservation
- recommends that all people involved in a construction project meet before hand to discuss tree mitigation, protection and preservation
- emphasizes the necessity of having an arborist oversee the project
- Ken Menzer approves the tree mitigation, protection and preservation plan that has been developed for this project
- \$60,000 is the bond amount

Commissioner Thew stated the following conditions should be added to the tree mitigation, protection and preservation plan:

- 1) On-site monitoring inspections SHALL be conducted at least every 30 days.
- 2) Blue and Valley oaks must be planted as well as live oaks, in proportion to the number of species removed.
- 3) All mitigation fees will go into the town's oak propagation fund, NOT the non-native tree fund.
- 4) All tree ordinance provisions will apply to any future vineyards, even though agriculture uses are largely exempt.

Commissioner Thew also noted that the \$100 tree mitigation fee is outrageously low.

Following further discussion on the matter, a motion was made to approve the tree mitigation, protection and preservation plan with Commissioners Thew recommended conditions being added to tree mitigation, protection and preservation plan. On motion by Commissioner Wilson, seconded by Commissioner Obranovich and passed by the following roll call vote:

Ayes:	Hogan, Obranovich, Wilson, and Banyas
Abstain:	Thew
Noes:	None
Absent:	None

8. **LOOMIS HILLS /SIERRA DE MONTSERAT, Barton, Wells and Laird Roads, APNs 45-170-03, 04, 07, 08 and 45-180-18 and 19, Courtesy Notice of Staff's finding of consistency with approved Tentative Map**

Staff is completing its review of the final map and improvement plans for the Loomis Hills subdivision. As a courtesy and to allow comment if Commissioners choose, staff is notifying the Commission that the proposed final map contains several minor changes to the approved tentative map: 62 lots instead of 64 lots, pedestrian pathway to Franklin school along Laird Road and revisions to F Court.

Recommended action: Make any comments, receive and file.

Public comment: None

No comments forward to the Town Council at this time, Commissioner Thew indicated that she would submit written comments to the Council.

9. **PROPOSED DESIGN GUIDELINES**

One of the goals in the General Plan and the Town Council is to complete design guidelines for the Town to provide guidance for applicants and for the approving bodies of applications. Staff is currently working on a draft that synthesizes previous efforts and incorporates guidelines from other communities.

Recommended action: Give direction to staff regarding design guidelines content and format.

Public comment:

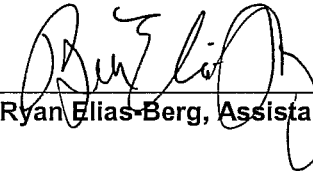
A motion was made to continue the item to the July 19th Planning Commission meeting. On motion by Commissioner Hogan, seconded by Commissioner Wilson and passed by the following roll call vote:

Ayes:	Obranovich, Banyas, Wilson, Hogan, Thew
Noes:	None
Noes:	None
Absent:	None

MATTERS OF INTEREST TO THE COMMISSIONERS NONE

ADJOURNMENT Chairman Obranovich adjourned the meeting AT 11:17 P.M.


Chairman Obranovich


Ryan Elias Berg, Assistant Planner